

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TERRANCE TURNER,

Plaintiff,

-against-

AUTOMOBILI LAMBORGHINI AMERICA,
et al.,

Defendants.

23-CV-8646 (LTS)

ORDER OF DISMISSAL
UNDER 28 U.S.C. § 1651

LAURA TAYLOR SWAIN, Chief United States District Judge:

On May 11, 2023, the United States District Court for the Northern District of Texas held, in *Turner v. Trugreen Ltd. P'ship*, No. 3:23-CV-989-G-BK (N.D. Tex. May 11, 2023), that Terrance Turner was barred from filing future actions *in forma pauperis* (IFP) in the Northern District of Texas or in “any other federal court,” without first obtaining leave of court to do so.

On October 2, 2023, Plaintiff filed five new actions in this district, including this one. Because Plaintiff applied to proceed IFP in this action but has not sought or obtained leave of court to bring this new IFP action, the action is within the scope of the May 11, 2023 bar order.

By order dated October 20, 2023, the Court granted Plaintiff an opportunity to show any reason why the May 11, 2023 bar order, issued by the Northern District of Texas, should not apply to this or any other such action that he brings in this district. Plaintiff filed a response to the order to show cause on November 13, 2023 (ECF 5), and the Court has reviewed it. Plaintiff’s response demonstrates that there is no reason not to enforce, in this district, the Northern District of Texas order barring him from filing new cases IFP after May 11, 2023, without leave of court.¹

¹ As one district court noted, Plaintiff has filed more than 60 lawsuits throughout the United States during the last two years, which have generally been characterized as “both

Because the May 11, 2023 order requires Plaintiff to obtain leave of court before bringing a new action IFP, and Plaintiff did not do so, the Court dismisses the action without prejudice.

Turner, No. 3:23-CV-989-G-BK (N.D. Tex. May 11, 2023).

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore IFP status is denied for the purpose of an appeal.

See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to enter judgment in this matter.

SO ORDERED.

Dated: November 28, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge

delusional and deficient,” and “illogical and unintelligible.” *Turner v. Food and Drug Admin.*, No. 3:23-CV-0977-X-BK, 2023 WL 4109782 (N.D. Tx. June 1, 2023) (order dismissing 16 consolidated actions). Although the Court does not reach the merits of this action, it also appears to be part of this vexatious pattern and thus an abuse of the privilege of proceeding IFP.